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PATENT

Attorney Docket No.: P1125US00

I hereby certify that this correspondence for U.S. Patent Application No. 10/759,740, filed January 16, 2004 in re Yinghe Hu, *et al.* is being facsimile transmitted to the United States Patent and Trademark Office at facsimile number 571-273-8300 on February 10, 2006

By:


Jill Clarke

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yinghe Hu, *et al.*

Application No.: 10/759,740

Filed: January 16, 2004

For: Universal G-Protein Coupled
Receptor Reporter Constructs

Examiner: Konstantina T. Katcheves

Art Unit: 1636

Confirmation No.: 6897

Declaration of Inventors under 37 CFR §
1.132

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Yinghe Hu and Cecilia Jiang, state as follows:

1. We are the named co-inventors of the above-captioned patent application.
2. During the period of time in which the invention was made, one of us, Yinghe Hu, was the principle investigator in charge of the underlying research project, and the other, Cecilia Jiang, was a senior research associate who conducted the majority of the experimental work and also took part in analysis of the resulting data from which the instant invention is derived.
3. We understand that the Examiner has cited Jiang *et al.*, Anal. Biochem. 316: 34-40, 2003 ("Jiang *et al.*") as prior art under 35 USC §102(a) in rejecting the invention claimed in the subject patent application. We understand that the basis of the rejection is that the inventive entity of the present invention differs from the authorship of the Jiang *et al.* publication.

Yinghe Hu et al.
Application No.: 10/759,740
Page 2

PATENT

4. The Jiang et al. publication reported precisely the same work of us on which the presently claimed invention is partly predicated. One of us (Cecilia Jiang) is the first author of this paper, and the other (Yinghe Hu) is the corresponding author. The other three authors of the paper were either graduate students (Guifen Chen and Xuemei Zeng) who performed routine experiments under the supervision of one of us (i.e., Yinghe Hu) or collaborator (Keqing Ouyang) who provided certain technical assistance.
5. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: Yinghe Hu

Yinghe Hu

Date: 1-21-06

Signature: Cecilia Jiang

Cecilia Jiang

Date: 1-21-06

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